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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 08-276 MHP
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	CONTINUING DATE OF SENTENCING
v.)	
)	Current Date: December 8, 2008
GILBERTO NARANJO AVILA,)	Current Time: 10:00 a.m.
)	
Defendant.)	Proposed Date: January 12, 2009
)	Proposed Time: 10:00 a.m.
		Judge: Hon. Marilyn Hall Patel

Defendant Gilberto Naranjo Avila is scheduled to be sentenced on December 8, 2008. Counsel for the United States, Assistant U.S. Attorney Tarek J. Helou, will not be available that day because he will be out of town due to a family member's surgery. Counsel for the defendant will not be available on any Monday during the Court's regularly scheduled criminal calendar until Monday, January 12, 2009.

The government and the defendant request that Sentencing in this case be continued to

January 12, 2009. Government counsel left a message with the U.S. Probation Officer assigned to this case, Jacqueline Sharpe, on November 25, 2008 and explained that the parties would request a continuance. Probation Officer Sharpe stated that she was available on January 12, 2009 and had no objection to moving the defendant's sentencing to that day.

Therefore, for good cause shown, the parties request that the Sentencing in this case scheduled for December 8, 2008 at 10:00 a.m. be vacated and that the matter be added to the Court's calendar on January 12, 2009 at 10:00 a.m.

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: November 25, 2008

/s/
TAREK J. HELOU
Assistant United States Attorney

DATED: November 25, 2008

/s/
JODI LINKER
Attorney for Defendant GILBERTO NARANJO AVILA

For the reasons stated above, the Sentencing in this case scheduled for December 8, 2008 at 9:00 am ~~at 10:00 a.m.~~ is vacated. The matter is added to the Court's calendar on January 12, 2009 at ~~10:00 a.m.~~ 9:00 a.m.

SO ORDERED.

DATED: 11/26/2008

THE HONORABLE
United States District Judge

